

# HOUSE . . . . . No. 4103

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## The Commonwealth of Massachusetts

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By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Bill to further prevent oil spills in Buzzards Bay (House, No. 3855) ought to pass with an amendment substituting therefore a Bill with the same title (House, No. 4103). May 7, 2009.

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An Act to further prevent oil spills in Buzzards Bay.

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FOR THE COMMITTEE:

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| NAME:          | DISTRICT/ADDRESS: |
| Charles Murphy | 21st Middlesex    |

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## An Act to further prevent oil spills in Buzzards Bay.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to further protect Buzzards Bay, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Section 1 of chapter 21M, as appearing in section 5 of chapter 268 of the acts of 2008, is hereby amended by striking out the definition of “Rescue tug” and inserting in place thereof the following:- “State-provided tugboat escort”, a tugboat escort, the primary purpose of which shall be to serve as an escort tug for unescorted tank vessels carrying 6,000 or more barrels of oil; provided further, that state-provided tugboat escorts shall provide on the water monitoring of these tank vessels, have the ability to warn vessels of actual or potential threats to navigation, be available to assist immediately to the threat of an accident and shall never be more than ¼ of a nautical mile away from a tank vessel. State-provided tugboat escorts shall be equipped with: (i) twin radar displays equipped with ECDIS or ARPA capable of integrating AIS; (ii) a towing winch and associated wire and gear capable of towing, at minimum, a 470 foot fully loaded tank vessel; (iii) pilot disembarkment gear; and (iv) fire fighting equipment as determined adequate by the commissioner pursuant to subsection (c) of section 6.

SECTION 2. Said section 1 of said chapter 21M, as so appearing, is hereby further amended by striking out the definition of “Response time”.

SECTION 3. Said section 1 of said chapter 21M, as appearing in the 2006 Official Edition, is hereby further amended by striking out, in lines 47 through 51, inclusive, the second sentence.

SECTION 4. Subsection (c) of section 9 of said chapter 21M, as appearing in section 13 of chapter 268 of the acts of 2008, is hereby amended by striking out the words “rescue tugs in Buzzards Bay to be available to” and inserting in place thereof the following words:- state-provided tugboat escorts in Buzzards Bay to escort every

SECTION 5. Said subsection (c) of said section 9 of said chapter 21M, as so appearing, is hereby further amended by striking out the second sentence.

22 SECTION 6. Subsection (f) of said section 9 of said chapter 21M, as so appearing, is hereby amended by  
23 striking the following words:- “authorize longer response times and fewer state pilots if he determines  
24 that exigent circumstances exist” and inserting in place thereof the following words:- not dispatch state-  
25 provided tugboat escorts and state pilots if the department determines that exigent circumstances exist

26 SECTION 7. Said subsection (f) of said section 9 of said chapter 21M, as so appearing, is hereby further  
27 amended by inserting after the words, “joint committee on the environment, natural resources and  
28 agriculture” the following words:- as well as report in the Environmental Monitor

29 SECTION 8. Subsection (g) of said section 9 of said chapter 21M, as so appearing, is hereby amended by  
30 striking out the words “maximum response times” and inserting in place thereof the following words:- the  
31 dispatching of state-provided tugboat escorts